

ATTORNEY DOCKET NO. 5576-150

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Tsumori et al.

Confirmation No. 9671

Serial No.: 10/646,500

Group Art Unit: 1775

Filed: August 22, 2003

For: *Plated Substrate for Hard Disk Medium and Manufacturing Method Thereof*

Date: November 25, 2003

Office of Patent Legal Administration
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO ACCORD THE PROPER FILING DATE

Sir:

As set forth in 37 CFR § 1.10(c) and MPEP § 506.02, Applicant hereby petitions to grant the proper filing date of August 22, 2003 rather than August 25, 2003 for the above-identified patent application as this was the date the application was deposited as "Express Mail" in the U.S. Postal Service. The following is enclosed as evidence of August 22, 2003 being the correct filing date for the application which was properly filed under 37 C.F.R. § 1.10:

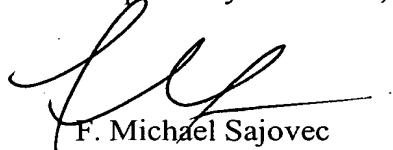
1. A true and accurate copy of the Cover Sheet for the Application showing the Express Mail signature and date on Page 2;
2. A true and accurate copy of the Express Mail Receipt marked by the United States Postal Service ("USPS") as a "date-in" or deposit date with the USPS on August 22, 2003; and
3. A true and accurate copy of our return post card and of the official filing receipt for this application sent by the United States Patent and Trademark Office, showing that Applicant was improperly given the filing date of August 25, 2003 instead of the Express Mail date of August 22, 2003.

This petition is being filed promptly after Applicant became aware of the improperly accorded filing date. Accordingly, Applicant respectfully requests the granting of August 22, 2003 as the filing date pursuant to 37 CFR § 1.10.

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Serial No.: 10/646,500
Filed: August 22, 2003
Page 2

On the basis that Applicant properly followed the requirements of 37 CFR § 1.10 and the USPTO failed to accord the proper filing date under MPEP § 505 and thus the need to file this petition is due to error on the part of the USPTO, it is applicant's belief that no fee is due with this petition. However, the Commissioner is authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-0220.

Respectfully submitted,



F. Michael Sajovec
Registration No. 31,793

Myers Bigel Sibley & Sajovec, P.A.
P. O. Box 37428
Raleigh, North Carolina 27627
Telephone: (919) 854-1400
Facsimile: (919) 854-1401
Customer No. 20792

Certificate of Mailing under 37 CFR 1.8 (or 1.10)

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 25, 2003.



Clara R. Beard



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MS Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Fms/crb

Date: August 22, 2003
Doc. No. 5546-150
Serial No. To Be Assigned
Inventor: Tsumori

Sir: Kindly acknowledge receipt of the accompanying items listed below by placing your receiving stamp hereon and return mailing:

☒ Application Transmittal and: ☒ Check \$ 830.00
☒ Specification pages ☐ IDS & PTO-1449 & refs.
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☒ Declaration & POA ☐ Preliminary Amendment
☒ Assignment and Fee (2 Assigns.) ☐ Issue Fee
☐ Small Entity Statement ☐ Brief
☐ Formal Drawings/ sheets ☐ Appeal
☐ Associate Power of Attorney ☒ Submittal of Priority Doc.
☒ Exp. Mail ☐ 1st Class Mail
Other:

Respectfully submitted,
MYERS BIGEL SIBLEY & SAJOVEC, P.A.
Attorneys for Applicant

MS Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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☒ Declaration & POA ☐ Preliminary Amendment
☒ Assignment and Fee (2 Assigns.) ☐ Issue Fee
☐ Small Entity Statement ☐ Brief
☐ Formal Drawings/ sheets ☐ Appeal
☐ Associate Power of Attorney ☒ Submittal of Priority Doc.
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Respectfully submitted,
MYERS BIGEL SIBLEY & SAJOVEC, P.A.
Attorneys for Applicant

17302 U.S. PTO
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08/25/03